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Via ECF

Honorable Lorna G. Schofield
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

Application **GRANTED**. The initial conference scheduled for July 6, 2022, is **ADJOURNED to July 20, 2022, at 4:10 p.m.** The conference will take place telephonically and will occur on the following conference line: 888-363-4749, access code: 5583333. The time of the conference is approximate, but the parties shall be prepared to begin at the scheduled time.

Dated: June 30, 2022
New York, New York

LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

Re: *Shinano Kenshi Corp. et al v. Honeywell Int'l Inc.*
Case No. 1:22-cv-03704-LGS

Dear Judge Schofield:

We write pursuant to Rule I(B)(2) of Your Honor's Individual Rules and Procedures to respectfully request that the Initial Telephone Conference currently scheduled for July 6, 2022 at 4:10 PM be adjourned until the parties have completed their briefing on Honeywell International Inc.'s ("Honeywell") anticipated motion to dismiss Shinano Kenshi Corp.'s ("Shinano") Complaint.

The Court entered an Order for the Initial Telephone Conference on May 20, 2022. (ECF 7.) Honeywell filed a pre-motion letter pursuant to Rule III(C)(2) of Your Honor's Individual Rules on May 31, 2022. (ECF 8.) In the letter, Honeywell requested that the Court set a briefing schedule for Honeywell to file its anticipated motion to dismiss, Shinano to file its opposition brief, and Honeywell to file a reply brief supporting its motion. Shinano responded to the pre-motion letter and advised that it agrees to the proposed briefing schedule. (ECF 14.) The Court has not yet set a briefing schedule for the motion.

Honeywell requests an adjournment on the Initial Telephone Conference as premature because the motion to dismiss reaches all of the claims in the case and the briefing schedule on that motion will inform how the rest of this case should proceed. In addition, Erika Birg, lead counsel for Honeywell, will be away from the practice of law from June 27, 2022 through July 11, 2022, due to a medical procedure.

Honeywell sought Shinano's consent, but it opposed Honeywell's request claiming that an adjournment of the Initial Telephone Conference is akin to a stay of discovery. Notwithstanding the foregoing, this request will not interfere with any Court deadlines as the Court has not yet set a Scheduling Order. No previous requests for adjournment have been requested by, or granted to, the parties.

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Accordingly, Honeywell requests that the Court adjourn the Initial Telephone Conference until the parties have fully briefed Honeywell's anticipated motion to dismiss. This request for adjournment is made more than two business days before the July 6, 2022 Initial Telephone Conference.

We appreciate the Court's consideration.

Respectfully submitted,

/s/ Lisa A. Herbert

Lisa A. Herbert

/s/ Erika C. Birg

Erika C. Birg (*admitted pro hac*)

Cc: All Counsel of Record (via ECF)